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13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

16 UNITED STATES OF AMERICA, ) CASE NO. 3:20-MJ-71882-MAG

17 Plaintiff, ) DETENTION ORDER

18 v. )

19 Kingjohn Baylon Asuncion, )

20 Defendant. )

21 On December 12, 2020, defendant Kingjohn Baylon Asuncion was charged by Complaint with  
22 one count of Coercion and Enticement of a Minor, in violation of Title 18, United States Code, Section  
23 2422(b).

24 This matter came before the Court on September 24, 2021 for a detention hearing and on  
25 September 27, 2021 for a further detention hearing. The defendant was present and represented by  
26 Candis Mitchell. Assistant United States Attorney Yoosun Koh appeared for the government. A United  
27 States Pretrial Services Agency Officer was also present at both hearings. On September 24, 2021,  
28 Pretrial Services submitted a Bail Report Addendum that recommended detention based on danger to the  
community. At the first detention hearing held on September 24, the government moved for detention,  
and the defendant opposed. At the hearing, counsel submitted proffers and arguments regarding

1 detention. The Court instructed Pretrial Services to speak to the defendant's father as a potential  
2 surety/custodian and continued the detention hearing to September 27, 2021. The defendant was  
3 remanded to custody pending a further detention hearing.

4 A further detention hearing was held on September 27, 2021. Upon consideration of the facts,  
5 proffers and arguments presented, Pretrial Services' recommendation, and for the reasons stated on the  
6 record, the Court finds by clear and convincing evidence that no condition or combination of conditions  
7 will reasonably assure the safety of any other person or the community. Accordingly, the defendant  
8 must be detained pending trial in this matter.

9 The present order supplements the Court's findings and order at the detention hearing and serves  
10 as written findings of fact and a statement of reasons as required by Title 18, United States Code,  
11 Section 3142(i)(1). As noted on the record, the Court found, after reviewing the Bail Report Addendum  
12 prepared by Pretrial Services, that (1) neither the defendant's father's residence nor his sister's residence  
13 is a suitable release location, and (2) without a suitable place for the defendant to live, the Court will not  
14 release him.

15 These finding are made without prejudice to the defendant's right to seek review of defendant's  
16 detention, or file a motion for reconsideration if circumstances warrant it.

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1 Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

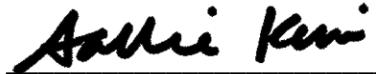
2 1. The defendant be, and hereby is, committed to the custody of the Attorney General for  
3 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving  
4 sentences or being held in custody pending appeal;

5 2. The defendant be afforded reasonable opportunity for private consultation with counsel;  
6 and

7 3. On order of a court of the United States or on request of an attorney for the government,  
8 the person in charge of the corrections facility in which the defendant is confined shall deliver the  
9 defendant to an authorized United States Marshal for the purpose of any appearance in connection with a  
10 court proceeding.

11 IT IS SO ORDERED.

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13 DATED: October 26, 2021

  
14 HONORABLE SALLIE KIM  
15 United States Magistrate Judge